

HONORABLE JAMES L. ROBERT

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

JONATHAN STUDEN, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

FUNKO, INC., ANDREW PERLMUTTER,  
and JENNIFER FALL JUNG,

Defendants.

Case No.: 2:23-cv-00824-JLR

**JLR**

**STIPULATION AND ~~PROPOSED~~  
ORDER**

**Noting Date: June 26, 2023**

WHEREAS, on June 2, 2023, Plaintiff Jonathan Studen filed the above-captioned action (the “Complaint”) asserting claims under the Securities Exchange Act of 1934 and U.S. Securities and Exchange Commission (“SEC”) Rule 10b-5 promulgated thereunder against defendants Funko, Inc. (“Funko”), Andrew Perlmutter (“Perlmutter”) and Jennifer Fall Jung (“Jung”) on behalf of a putative class of “all persons who purchased or otherwise acquired Funko common stock on a U.S. open market during the class period May 6, 2022 through March 1, 2023, both dates inclusive (the ‘Class’).” ECF No. 1, ¶1;

1 WHEREAS on June 2, 2023, Plaintiff caused notice to be issued to the putative Class  
2 pursuant to the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4 *et seq.*;

3 WHEREAS the deadline for a member of the putative Class to file a lead plaintiff motion  
4 pursuant to the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4 *et seq.*, is  
5 August 1, 2023;

6 WHEREAS, none of the defendants have yet been served with the Complaint;

7 WHEREAS, none of the parties know at this time who will ultimately be appointed lead  
8 plaintiff(s) and lead counsel in this matter;

9 WHEREAS, the parties wish to provide time for Defendants to respond to the Complaint  
10 or any consolidated or amended complaint that may be filed by the appointed lead plaintiff(s);

11 WHEREAS, the undersigned parties agree that, for reasons of judicial efficiency and  
12 economy, conservation of time and resources, and orderly management of this action, no  
13 defendant should respond to the Complaint or any further complaints that may be filed arising out  
14 of the same set of facts and circumstances as set forth in the existing Complaint until after: (i) the  
15 Court has issued a decision appointing the lead plaintiff(s); and (ii) the lead plaintiff(s) has filed  
16 a consolidated or amended complaint or designated the existing Complaint the operative  
17 complaint; and  
18

19 WHEREAS, Defendants Funko, Perlmutter, and Jung are prepared to waive service of  
20 process, provided that the Court enters this stipulation staying the time for all Defendants to  
21 respond to any complaints until after the designation of the operative complaint, as described  
22 below.  
23

24 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between  
25 the attorneys for the undersigned parties to this action, as follows:  
26

1           1. Defendants Funko, Perlmutter, and Jung agree to waive service effective as of the  
2 date of the Court's entry of this stipulation, provided that the time for all Defendants to respond  
3 to any complaints is stayed until after the filing or designation of the operative complaint(s) by  
4 the lead plaintiff(s), as set forth below.

5           2. Within fourteen (14) days entry of an order appointing a lead plaintiff(s) and lead  
6 counsel, counsel for lead plaintiff(s) and counsel for the Defendants in the action shall meet and  
7 confer and submit to the Court a schedule for filing a consolidated or amended complaint, if any,  
8 and a reasonable extension of time for Defendants to respond to the Complaint or any  
9 consolidated or amended complaint by answer, motion, or otherwise.  
10

11           3. Except as to the defenses of insufficient process and insufficient service of process  
12 as described above, by entering into this Stipulation, Defendants do not waive, and hereby  
13 expressly preserve, all privileges, immunities, and defenses in this litigation, including but not  
14 limited to defenses relating to venue or jurisdiction.  
15

16 DATED: June 26, 2023

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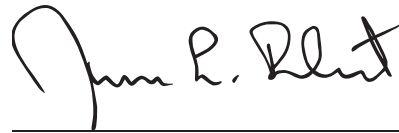
*Attorneys for Defendants Funko, Inc.,*

*Andrew Perlmutter, and Jennifer Fall Jung*

SO ORDERED

Seattle, WA

Dated this 27th day of June, 2023.



The Honorable James L. Robart  
United States District Judge